

### **REMARKS**

Claims 1-55 are pending in the Application. Claims 1, 13, 27 and 41 are amended and claims 2, 14, 28 and 42 are canceled by the present amendment.

The Applicant respectfully requests that the present Amendment be entered and the Application reconsidered in light of the foregoing amendments and the following remarks.

#### **I. EXAMINER INTERVIEW**

On July 28, 2005, the undersigned and Mr. Brandon Rash met with Examiner Lemma to conduct an in-person examiner interview. On August 5, 2005, the undersigned met with the Examiner and Supervising Examiner Gilberto Barron for a follow-up interview. The Applicants wish to express their appreciation for the courtesy and assistance provided by Examiners Lemma and Barron during these interviews.

The primary purpose of the interviews was to provide visual examples of latent images applied using a transmittent printing medium and latent images representative of the cited art that were printed in a non-transmittent medium. These examples were used to demonstrate the basic concept of printing an encoded image whose individual elements transmit light without a significant degree of normal reflection but which can still be optically decoded to reveal the latent image. Examples were also provided to show how the encoded image, by virtue of its transmittent nature, may be printed over the top of visible indicia without obscuring them.

Based on the examples presented, the Examiners agreed that the claimed subject matter is distinguishable from the cited prior art. As noted in the Interview Summary dated August 10, 2005, the Examiners agreed that, at least, dependent claim 2 and similar claims are allowable.

#### **II. THE CLAIMS ARE PATENTABLE OVER THE CITED PRIOR ART**

##### **A. Paragraph 3 Rejection of Claims 1, 8-10, 13, 27, 34, 35, 41, 48, 51, 52 and 55**

In paragraph 3 of the Final Office Action, claims 1, 8-10, 13, 27, 34, 35, 41, 48, 51, 52 were rejected under 35 U.S.C. 102(b) as being assertedly anticipated by Huang et al.,

U.S. Pub. No. 2002/0054680 (“Huang Application”). The Applicants respectfully traverse this rejection.

1. Independent Claims 1, 13, 27 and 41

As amended, claim 1 recites an authenticatable article comprising a printable surface and a latent image formed on a first portion of the printable surface. The latent image is formed in a transmittent printing medium and is an encoded version of an authentication image. the latent image is configured for optical decoding by an optical decoder so that the authentication image can be viewed through the optical decoder when the optical decoder is placed over the latent image. The transmittent printing medium is selected to provide a maximum reflectivity difference between the first portion of the printable surface with the latent image printed thereon and an adjacent area of the printable surface, the maximum reflectivity difference being no greater than 5% of the reflectivity of the adjacent area.

As amended, claim 13 recites a system for authenticating an article. The system comprises a latent image formed in a transmittent printing medium on a printable surface of the article. The latent image is configured as an encoded version of an authentication image using an optically decodable coding scheme. The transmittent printing medium is selected to provide a maximum reflectivity difference between a first portion of the printable surface with the latent image printed thereon and an adjacent area of the printable surface, the maximum reflectivity difference being no greater than 5% of the reflectivity of the adjacent area. The system further comprises an optical decoder comprising a lens adapted for placement over at least a portion of the latent image. The lens has optical decoding properties corresponding to the optically decodable coding scheme so that the latent image is decoded when the lens is placed over it, thereby allowing the authentication image to be viewed through the lens.

As amended, claim 27 is similar to claim 13 except that the lens is replaced by optical decoding means for decoding the latent image so that the authentication image can be viewed.

As amended, claim 41 recites a method of applying an authentication image to an article. The method comprises obtaining a digitized version of the authentication image, encoding the digitized version of the authentication image to produce an encoded latent image, and printing the encoded latent image on a first portion of the printable surface of the article using a transmittent printing medium selected to provide a maximum reflectivity difference between the first portion of the printable surface with the latent image printed thereon and an adjacent area of the printable surface, the maximum reflectivity difference being no greater than 5% of the reflectivity of the adjacent area.

2. The Huang Application Does Not Disclose the Features of Independent Claims 1, 13, 27 and 41

The Huang Application was discussed in detail in the Response filed April 7, 2005. As noted by the Applicants in that Response, the Huang Application does not teach, disclose or suggest a latent image formed in a transmittent printing medium or printing a latent image using a transmittent printing medium. Further, as discussed in the Interviews and as agreed to by the Examiners, the Huang Application does not disclose the use of printing medium selected to provide a maximum reflectivity difference between a first portion of the printable surface with the latent image printed thereon and an adjacent area of the printable surface, the maximum reflectivity difference being no greater than 5% of the reflectivity of the adjacent area.

For at least these reasons, the Applicants respectfully request that the rejection of claims 1, 13, 27 and 41 under 35 U.S.C. 102(b) be withdrawn.

3. Dependent Claims 8-10, 27, 34, 35, 48, 51, 52 and 55

Each of claims 8-10, 27, 34, 35, 48, 51, 52 and 55 is dependent on one of the independent claims (claims 1, 13, 27 and 41) discussed above in section II.A.3. The

Applicants respectfully submit that because independent claims 1, 13, 27 and 41 are patentable over the Huang Application, claims 8-10, 27, 34, 35, 48, 51, 52 and 55 must be patentable over the Huang Application as well. The Applicants therefore respectfully request that the rejection of claims 8-10, 27, 34, 35, 48, 51, 52 and 55 under 35 U.S.C. 102(b) be withdrawn.

**B. Paragraph 8 Rejection of Claims 2-5, 11, 12, 14-17, 28-31, 42-45, 49 and 50**

In paragraph 8 of the Final Office Action, claims 2-5, 11, 12, 14-17, 28-31, 42-45, 49 and 50 were rejected under 35 U.S.C. 103(a) as being assertedly unpatentable over the Huang Application in view of Amon et al., U.S. Pub. No. 2003/0136837 ("Amon Application"). Claims 2, 14, 28 and 42 have been canceled, thereby rendering their rejection moot. The Applicants respectfully traverse the rejection with respect to claims 3-5, 11, 12, 15-17, 29-31, 43-45, 49 and 50.

**1. The Combined Teachings of the Huang and Amon Applications Do Not Teach, Disclose or Suggest the Features of Independent Claims 1, 13, 27 and 41**

As agreed by the Examiners in the Interviews, the combined teachings of the Huang and Amon references do not disclose or suggest a latent image formed in a transmittent printing medium selected to provide a maximum reflectivity difference between a first portion of the printable surface with the latent image printed thereon and an adjacent area of the printable surface, the maximum reflectivity difference being no greater than 5% of the reflectivity of the adjacent area.

For at least this reason the Applicants submit that claims 1, 13, 27 and 41 are patentable over the combined Huang and Amon references.

**2. Dependent Claims 3-5, 11, 12, 15-17, 29-31, 43-45, 49 and 50**

Each of claims 3-5, 11, 12, 15-17, 29-31, 43-45, 49 and 50 is dependent on one of the independent claims (claims 1, 13, 27 and 41) which have been shown to be patentable over the combined teachings of the Huang and Amon Applications. The Applicants respectfully submit that because independent claims 1, 13, 27 and 41 are patentable over

the cited references, claims 3-5, 11, 12, 15-17, 29-31, 43-45, 49 and 50 must be patentable over the cited references as well. The Applicants therefore respectfully request that the rejection of claims 3-5, 11, 12, 15-17, 29-31, 43-45, 49 and 50 under 35 U.S.C. 103(a) be withdrawn.

C. Paragraph 11 Rejection of Claims 6, 7, 18, 19, 32, 33, 46, 47, 53 and 54

In paragraph 12 of the Office Action, claims 6, 7, 18, 19, 32, 33, 46, 47, 53 and 54 were rejected under 35 U.S.C. 103(a) as being assertedly unpatentable over the Huang Application in view of Merry et al., U.S. Patent No. 5,178,418 ("Merry Patent"). The Applicants respectfully traverse this rejection.

1. The Combined Teachings of the Huang Application and the Merry Patent Do Not Teach, Disclose or Suggest the Features of Independent Claims 1, 13, 27 and 41

As agreed by the Examiners in the Interviews, the combined teachings of the Huang and Merry references do not disclose or suggest a latent image formed in a transmittent printing medium selected to provide a maximum reflectivity difference between a first portion of the printable surface with the latent image printed thereon and an adjacent area of the printable surface, the maximum reflectivity difference being no greater than 5% of the reflectivity of the adjacent area.

For at least this reason the Applicants submit that claims 1, 13, 27 and 41 are patentable over the combined Huang and Merry references.

2. Dependent Claims 6, 7, 18, 19, 32, 33, 46, 47, 53 and 54

Each of claims 6, 7, 18, 19, 32, 33, 46, 47, 53 and 54 is dependent on one of the independent claims (claims 1, 13, 27 and 41) which have been shown to be patentable over the combined teachings of the Huang Application and the Merry Patent. The Applicant respectfully submits that because independent claims 1, 13, 27 and 41 are patentable over the cited references, claims 6, 7, 18, 19, 32, 33, 46, 47, 53 and 54 must be patentable over the cited references as well. The Applicant therefore respectfully requests that the

rejection of claims 6, 7, 18, 19, 32, 33, 46, 47, 53 and 54 under 35 U.S.C. 103(a) be withdrawn.

## **II. CONCLUSION**

The Applicants appreciate the Examiners' indication of allowable subject matter and have amended the claims in accordance with the Examiners' suggestions. For at least the reasons set forth above, the Applicants respectfully submit that claims 1, 3-13, 15-27, 29-41 and 43-55 are in condition for allowance. The Applicants therefore request that the present Amendment be entered and the application be allowed and passed to issue.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact the Applicant's undersigned representative.

Dated: August 17, 2005

Respectfully submitted,



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